

REMARKS

In the Office Action of December 19, 2006,¹ claims 1-7 and 25-28 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by “SolidWorks Tools - ACP4SWX Overview” posted at http://swtools.cad.de/us_prog_acp.htm by Stefan Berlitz (hereinafter “ACP4SWX”); claims 8-14 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over ACP4SWX; and claims 15-24 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over ACP4SWX in view of Maeda et al. (U.S. Patent 5,966,310) (“*Maeda*”).

Applicant appreciates the courtesy extended by the Examiner during the telephonic interview, granted on March 13, 2007, during which the Examiner acknowledged that ACP4SWX is not prior art given that it describes a version of the software released on May 24, 2003. Applicant’s representatives further described to the Examiner the differences between colorizing 3-D features in a feature-based parametric modeling tool, and colorizing a 2-D schematic obtained from a feature-based parametric modeling tool. Further to this conversation, Applicant provides the following remarks below.

ACP4SWX is Not Prior Art

As acknowledged by the Examiner in the telephonic interview of March 13, 2007, ACP4SWX is not eligible as prior art against the present application. The website cited by the Examiner describes a version of ACP4SWX released *after* Applicant’s filing date of December 27, 2001. In particular, the website describes a version of ACP4SWX (v. 1.2.1) which was released on May 24, 2003. (See page 1 of cited website). Accordingly, for at least this reason alone neither the software itself, nor the website describing the software, is applicable as prior art

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether or not any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

under 35 U.S.C. § 102 or § 103. The Examiner is therefore respectfully requested to withdraw each of the rejections applied in the Office Action of December 19, 2006.

As also discussed during the interview, the 2003 version of ACP4SWX does not disclose each and every element of each of the independent claims. Thus, should the Examiner intend to cite a previously released version of ACP4SWX, such as version 1.0, which was allegedly published in June of 2000, and assuming that such a reference includes a disclosure substantially similar to the disclosure of the 2003 version of ACP4SWX, that reference would not anticipate any of Applicant's claims for at least the reasons set forth below.

2003 ACP4SWX does not teach “obtaining a schematic from a feature-based parametric modeling tool.”

§ 102(b) Rejection of Claims 1-7 and 25-28

Applicant traverses the § 102(b) rejection of claims 1-7 and 25-28. ACP4SWX fails to disclose each and every limitation of the claims and therefore cannot anticipate the claims. In order to properly anticipate Applicant's claimed invention under 35 U.S.C. § 102, a single prior art reference must disclose each and every element of the claim at issue, either expressly or under principles of inherency. Further, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” *See* M.P.E.P. § 2131. Also, “[t]he elements must be arranged as required by the claim.” *Id.*

Independent claim 1 recites a method including, *inter alia*, “obtaining a schematic generated from a feature-based parametric modeling tool.” ACP4SWX does not teach at least “obtaining a schematic generated from a feature-based parametric modeling tool,” as recited in claim 1 (emphasis added). ACP4SWX merely describes “set[ting] color for faces, features or components of (all, selected or main part/assy)” in a 3-D modeling tool. (Page 4). The website

also states that a user can “set color for component faces or features WITHOUT LEAVING THE ASSEMBLY!!” (Page 4).

ACP4SWK simply does not teach “obtaining a schematic generated from a feature-based parametric modeling tool” as required by independent claim 1. As discussed during the interview and described in Applicant’s specification at paragraph [02], “[t]hese schematic drawings may include, for example, electrical components as well as interconnected wiring.” In paragraph [04], a schematic is described as a drawing that can be printed and then manually colored. In paragraph [16], it is stated that schematics may include engineering schematics, blueprints, diagrams, or any other illustration where color may be associated with an aspect of the design. The above descriptions of the word “schematic” are consistent with the meaning that one of skill in the art would attribute to the word.

ACP4SWX does not obtain and colorize a schematic generated from a feature-based parametric modeling tool. Examiner has only pointed to ACP4SWX’s use in colorizing various three-dimensional elements within a modeling tool such as SolidWorks. (see Office Action at pages 2-3).

Thus, for at least this reason, ACP4SWX cannot anticipate claim 1. Claims 2-7 and 25-28 depend from claim 1 and are patentable over ACP4SWX for at least the same reasons as claim 1, discussed above. Reconsideration is requested.

§ 103(a) Rejection of Claims 8-14

Independent claim 8 recites, *inter alia*, “obtaining a schematic generated from a feature-based parametric modeling tool.” As discussed above with regard to claim 1, ACP4SWX does not teach or disclose this limitation. In rejecting claims 8-14, the Examiner took Official Notice that “[i]t is well know in the art of computer graphics processing to store software, such as the

software disclosed by ACP4SWX, on some type of computer-readable medium (i.e. RAM, ROM, hard drive, floppy disk, cd-rom, etc.).” Office Action at page 8. Even assuming that the Examiner’s assertion is true, this “Official Notice” fails to rectify the deficiency of ACP4SWX discussed above. Therefore, neither ACP4SWX nor the Official Notice, either alone or in combination, disclose or suggest the invention as claimed. For at least this reason, the rejection of claim 8 should be withdrawn. Claims 9-14 depend upon claim 8 and are distinguishable over the prior art for at least this reason. Reconsideration is requested.

§ 103(a) Rejection of Claims 15-24

Independent claim 15 recites, *inter alia*, “configured to obtain a schematic generated from a feature-based parametric modeling module.” As discussed above with respect to claim 1, ACP4SWX fails to disclose or suggest obtaining a schematic generated from a feature-based parametric modeling tool. The Examiner cited the “personal design CAD system” of *Maeda*, comprising a processor, a memory, and a colorization module, as being useful for operating the software of ACP4SWX. However, *Maeda* does not disclose or suggest a system “configured to obtain a schematic generated from a feature-based parametric modeling module” and, thus, *Maeda* fails to rectify the above-described deficiencies of ACP4SWX. Therefore, neither ACP4SWX nor *Maeda*, either alone or in combination, disclose or suggest the invention as claimed. For at least this reason the rejection of claim 15 should be withdrawn. Claims 16-20 depend from claim 15 and are distinguishable over the prior art for at least this reason. Reconsideration is requested.

Independent claim 22 recites, *inter alia*, a “colorization module” configured to “obtain a schematic generated from a feature-based parametric modeling tool.” As discussed with respect to claim 1, ACP4SWX fails to teach or suggest the above-noted feature of claim 22. *Maeda* does

not cure ACP4SWX's deficiencies. Therefore, neither ACP4SWX nor *Maeda*, either alone or in combination, disclose or suggest the claimed invention. For at least this reason, the rejection of claim 22 should be withdrawn. Claims 23-24 depend from claim 22 and are distinguishable over the prior art for at least this reason. Reconsideration is requested.

Conclusion

Thus, even if ACP4SWX were released prior to Applicant's filing date, it could not anticipate the independent claims because it does not teach or disclose the limitation of "obtaining a schematic generated from a feature-based parametric modeling tool" and neither the Official Notice nor *Maeda* cures the deficiency of ACP4SWX. Therefore, neither of the cited references, either alone or in combination, disclose or suggest the invention as claimed. For at least this reason the rejection of claims 1-28 should be withdrawn. Reconsideration is requested.

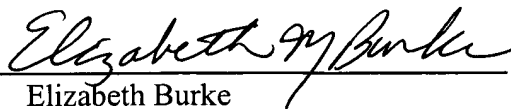
In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: March 19, 2007

By: 
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